

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

**LARRY D. FULLER,**

**Plaintiff,**

**VS.**

**MICHAEL J. ASTRUE,**  
**Commissioner of Social Security,**

**Defendant.**













**Civil Action No. 1:08-CV-078-C**  
**ECF**

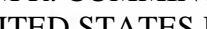
## ORDER

**THIS MATTER** comes before the court on the Report and Recommendation filed February 9, 2010 (Doc. 26). No written objections have been filed.

**IT IS, THEREFORE, ORDERED** that the findings and conclusions in the Report and Recommendation are **ADOPTED** as the findings and conclusions of the court and that this cause is reversed and remanded to the Commissioner for further proceedings pursuant to 405 U.S.C. § 405(g).

Upon remand the ALJ should further consider, including by development of the record, as necessary, by obtaining the opinion of a medical expert, consultative examiner, or treating provider, whether Plaintiff manifested deficits of adaptive functioning prior to the age of 22, within the meaning of Section 12.05C of the Listing of Impairments.

Dated February 25, 2010.

  
SAM R. CUMMINGS  
UNITED STATES DISTRICT COURT